

PROPOSAL:

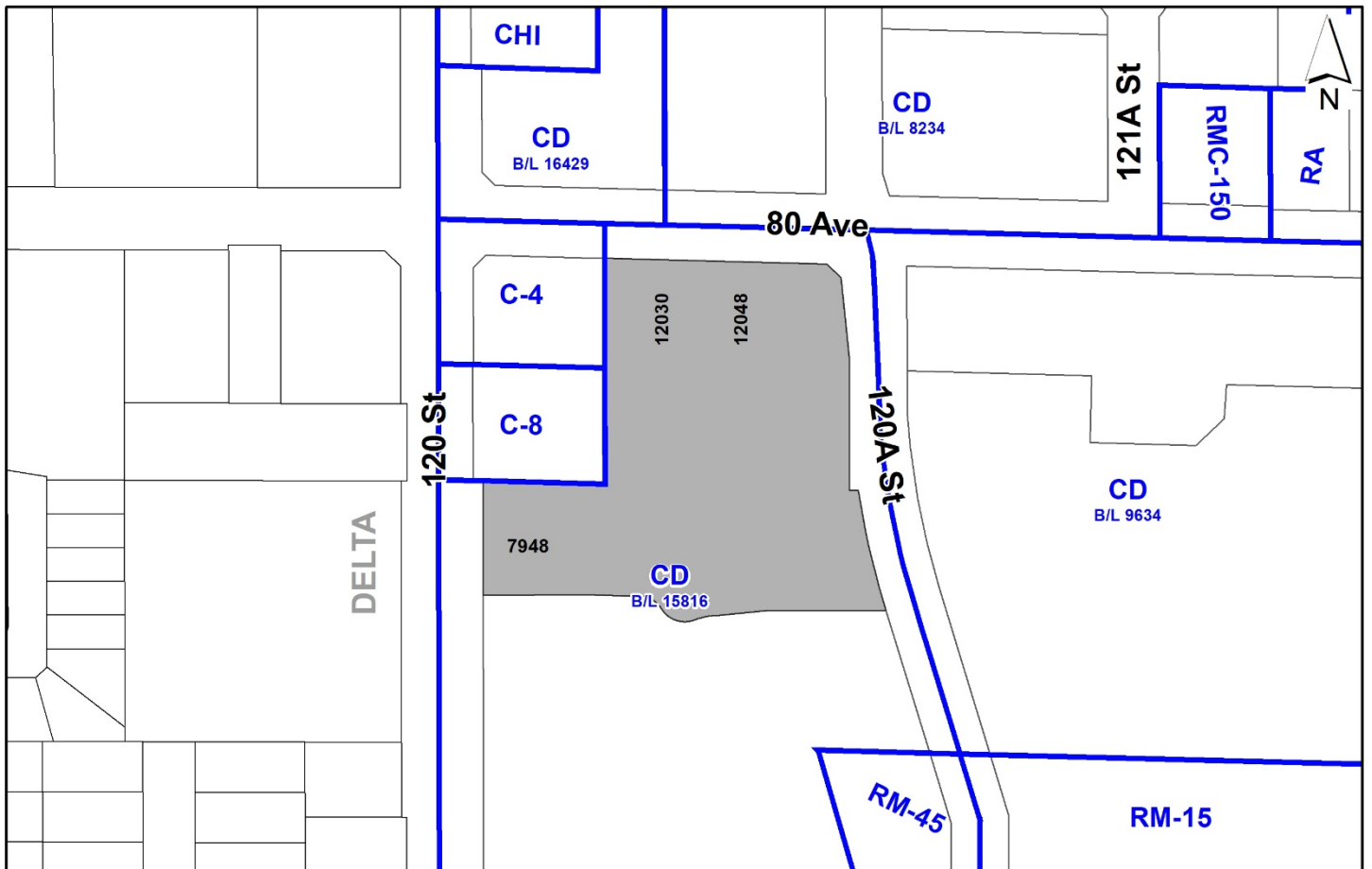
- **Development Variance Permit**

To vary the minimum 400 metre separation requirement between a small-scale drugstore and an existing drugstore.

LOCATION: 7948 - 120 Street
 (12030, 12048 - 80 Avenue)

ZONING: CD

OCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to vary the minimum 400 metre (1,300 feet) separation requirement between small-scale drugstores within Part 4, General Provisions.

RATIONALE OF RECOMMENDATION

- The proposed small-scale drugstore will operate in conjunction with a medical office and is minor in nature, and intended to provide comprehensive healthcare to patients of the clinic.
- Council has historically expressed concerns regarding the potential over-concentration of small stand-alone drugstores. However, Council has been supportive of variances to permit small-scale drug stores that operate in conjunction with a medical office or clinic located within the same building.
- A Section 219 Covenant will be registered on title to allow the small-scale drugstore to operate only in conjunction with a medical clinic and have the same hours of operation as the medical clinic.
- The proposed small-scale drugstore is permitted as a retail store use under the existing “Comprehensive Development Zone (CD)”.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7923-0047-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) In Section 32 of Part 4, General Provisions of the Zoning Bylaw no. 12000, the minimum separation distance between the lot lines of drugstores, small-scale drugstores or methadone dispensaries is reduced from 400 metres to 210 metres.
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) registration of a Section 219 Restrictive Covenant requiring that any small-scale drugstores on site must operate in conjunction with a medical office and have the same hours of operation as the medical office.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Multi-tenant commercial	Commercial	CD
North (Across 80 Avenue):	Gas station, commercial	Commercial	CD
East (Across 120A Street):	Townhouses, apartments	Multiple Residential	CD
South:	Multi-tenant commercial	Commercial	CD
West (Across 120 Street):	Commercial, City of Delta (Multi-tenant commercial)	Commercial, N/A	C-4, C-8, N/A

Context & Background

- The subject site is an established multi-tenant commercial centre located on the south side of 80 Avenue and east of 120 Street and the City of Delta. The property is approximately 1.5 hectares (3.7 acres) and contains three commercial buildings. The site was initially developed in conjunction with four other commercial buildings on three abutting properties at 7988, 7956 and 7908 120 Street.
- The ACE Medical Clinic currently operates out of the multi-tenant building at the northeast corner of subject property.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant proposes to incorporate a small-scale drugstore in conjunction with the existing medical office in order to better serve patients.
- To regulate the over-concentration of small-scale drugstores and methadone dispensaries, Section B.32 of Part 4, General Provisions stipulates that a small-scale drugstore shall not be located within 400 metres of another drugstore, small-scale drugstore, or methadone dispensary. The 400 metre separation is measured lot line to lot line.
- There are four small-scale drugstores within 400 metres of the subject site, two of which are within the City of Surrey, and two within the City of Delta (refer to Appendix I):

Pharmacy	Address	Distance – Property Line to Property Line
Marks Pharmacy (City of Delta)	8035 – 120 Street	80 metres
Peoples Pharmacy	8140 – 120 Street	210 metres
Loblaw Pharmacy (City of Delta)	8195 – 120 Street	230 metres
Medisave Pharmacy	8181 – 120A Street	355 metres

- The requested variance would reduce the minimum separation distance between drugstores within the City of Surrey, given that the Zoning Bylaw would not apply to lands or uses within the City of Delta.
- The property is designated as “Urban” in the Official Community Plan (OCP) and “General Urban in the Metro Vancouver Regional Growth Strategy.
- There are no exterior renovations proposed in conjunction with the requested DVP.

Referrals

Engineering: The Engineering Department has no objection to the project.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

- The applicant is requesting the following variance:
 - In Section 32 of Part 4, General Provisions of the Zonin Bylaw no. 12000, the minimum separation distance between the lot lines of drug stores, small-scale drugstores or methadone dispensaries is reduced from 400 metres to 210 metres.

- The applicant is seeking a tenant improvement application to construct a pharmaceutical counter within the existing waiting room. The use will occupy approximately 20 square metres and will share an entrance with the 225 square metre clinic.
- The pharmaceutical counter will operate during the normal business hours of the clinic, which are from Monday to Friday, 9:00am to 5:00pm. The applicant has confirmed in writing that methadone will not be dispensed on-site.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drugstore to operate only in conjunction with the medical office, and to require the small-scale drugstore and medical office to have the same hours of operation.
- The proposed small-scale drugstore will not require additional parking spaces. In total, the medical office and small-scale drugstore require 8 parking spaces, which is accommodated on-site.
- The applicant has advised that introducing a small-scale drugstore to the existing medical office will allow the clinic to provide more comprehensive care to patients, many of whom are seniors. Given this, and the ancillary nature of the proposal, staff support the requested Development Variance Permit No. 7923-0047-00.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Context Plan
Appendix II.	Floor Plan
Appendix III.	Development Variance Permit No. 7923-0047-00

approved by Shawn Low

Don Luymes
General Manager
Planning and Development

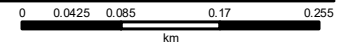
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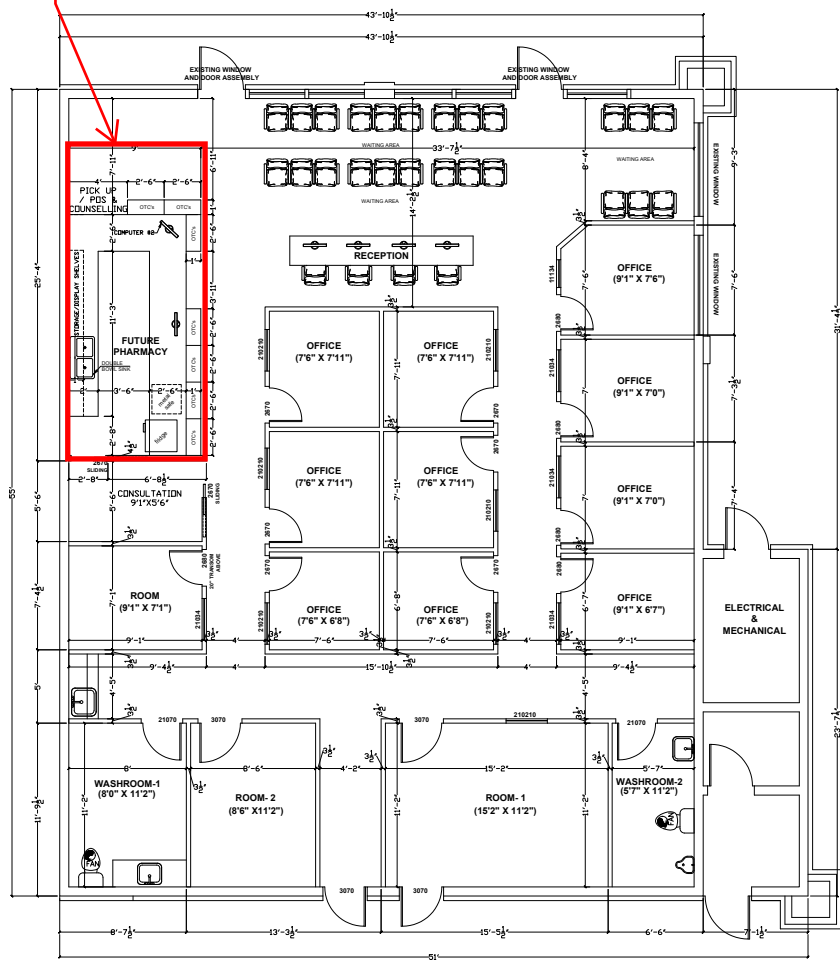
Location of Existing Drugstores

Scale: 1:6,500

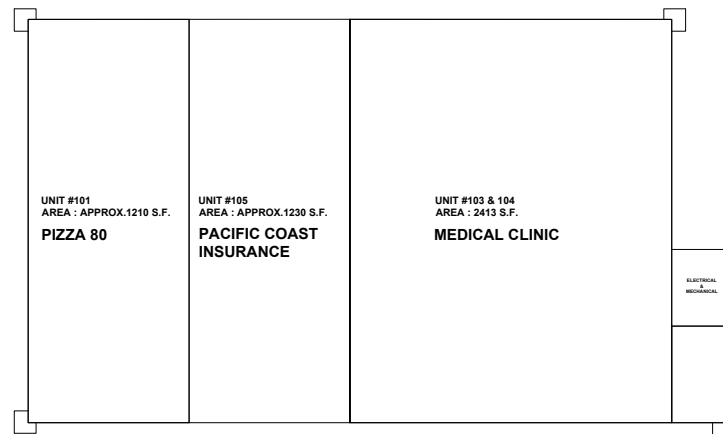
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Proposed Small-Scale Drugstore



MEDICAL CLINIC FLOORPLAN
SCALE : 1/4" = 1'-0"



12030 80th. AVENUE BUILDING
SCALE : 1/6" = 1'-0"

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0047-00

Issued To:

(the Owner)

Address of Owner:

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 026-633-639
Lot 2 Section 19 Township 2 New Westminster District Plan BCP22892

7948 - 120 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section 32 of Part 4 General Provisions of the Zoning Bylaw No. 12000, the minimum separation distance between the lot lines of drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 210 metres.
4. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli



Location of Existing Drugstores

Scale: 1:6,500

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